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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,	)	Cr. No. 03-00525-001 LEK
	)	
Plaintiff,	)	GARNISHEE ORDER
	)	
v.	)	
	)	
DARYLE S. QUITAZOL,	)	
	)	
	)	
Defendant.	)	
_____	)	
	)	
	)	
WEST COAST ROOFING INC., )	)	
	)	
Garnishee.	)	
_____	)	

GARNISHEE ORDER

A Writ of Continuing Garnishment, directed to the Garnishee, has been duly issued and served upon the Garnishee. Pursuant to the Writ of Continuing Garnishment, the Garnishee filed an Answer on September 29, 2006, and an Amended Answer on October 4, 2006 stating that at the time of the service of the Writ it had in its custody, control or possession, property in which the Defendant-Judgment Debtor, DARYLE S. QUITAZOL

(hereinafter referred to as "Debtor") has a substantial nonexempt interest, to wit: nonexempt earnings belonging to and due Debtor.

Nonexempt earnings are defined as 25 percent of the Debtor's disposable earnings per pay period, calculated by deducting from gross wages the following required withholdings: federal income taxes, social security and medicare taxes, state income taxes, state disability insurance, and required payments to a public employee retirement system. However, the Debtor is entitled to receive, free from garnishment, minimum net wages of \$154.50 per week.

On or about September 21, 2006, the Application for Writ of Continuing Garnishment, Writ of Continuing Garnishment, Instructions to the Garnishee, Answer of the Garnishee Form, Clerk's Notice of Post-Judgment Garnishment and Instructions to Defendant Judgment Debtor, Request for Hearing Form, Notice to Defendant-Judgment Debtor on how to Claim Exemptions, and Claim for Exemption Form were sent to the Debtor via certified mail but remain unclaimed. On or about September 25, 2006, another set of the documents were sent to the Debtor via first class mail. Debtor did not request a hearing within the time allowed by 28 U.S.C. § 3202(d).

On or about September 19, 2006, the Garnishee represented to the Plaintiff that a copy of the Answer of the Garnishee Form was delivered or mailed to the Debtor. On or about October 4, 2006, the Garnishee represented to the Plaintiff that a copy of the Amended Answer of the Garnishee Form was

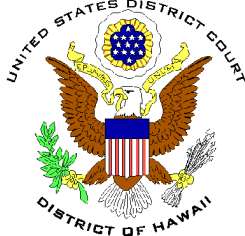
delivered or mailed to the Debtor. Debtor did not request a hearing within the time allowed by 28 U.S.C. § 3205(c)(5).

IT IS ORDERED that Garnishee pay the sum of 25 percent of the Debtor's nonexempt earnings, each pay period to Plaintiff and continue said payments until the debt to the Plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any nonexempt earnings belonging to the Debtor or until further Order of the Court.

IT IS FURTHER ORDERED that the Garnishee make the checks payable to the CLERK, U.S. DISTRICT COURT and mail the checks to the following address:

Clerk, U.S. District Court  
Room C-338, U.S. Courthouse  
300 Ala Moana Boulevard  
Honolulu, Hawai'i 96850

DATED: Honolulu, Hawai'i, November 13, 2006.



/S/ Leslie E. Kobayashi  
Leslie E. Kobayashi  
United States Magistrate Judge

USA vs. DARYLE S. QUITAZOL  
Cr. No. 03-00525-001 LEK  
GARNISHEE ORDER